

Return		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name(s) of any person(s) seized: 		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <p>Date: _____ _____ <i>Executing officer's signature</i> _____ <i>Printed name and title</i></p>		

ATTACHMENT A1

Person to be searched

The person to be searched is **Ulyses Johnson (12/11/1983)**.

ATTACHMENT B1

Property to be seized

The property to be seized is saliva containing epithelial cells by buccal swab.

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

DNA of the person Ulyses Johnson with a date
of birth 12/11/1983

Case No.23-879M(NJ)

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the _____ Eastern _____ District of _____ Wisconsin _____, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. Sections 922(g)(1)	Felon in possession of a Firearm

The application is based on these facts:

See Attached Application

- ☐ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Anthony Winkler

Digitally signed by Anthony Winkler
Date: 2023.04.07 14:11:13 -05'00'

Applicant's signature

Special Agent Anthony Winkler, ATF

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
_____ telephone _____ (specify reliable electronic means).

Date: 4/10/2023

City and state: Milwaukee, WI

Hon. Nancy Joseph, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
APPLICATIONS FOR SEARCH WARRANTS**

I, Anthony Winkler, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of applications under Rule 41 of the Federal Rules of Criminal Procedure for search warrants to collect an oral swab or swabs of deoxyribonucleic acid (DNA) from saliva containing epithelial cells from the following individual, who is presently located in the Eastern District of Wisconsin:

A1. Ulyses Johnson (DOB 12/11/1983)

2. I am a Special Agent with the Bureau of Alcohol Tobacco Firearms and Explosives (ATF) and have been employed in this capacity since March 2016. As such, I am an “investigator or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7) that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code Section 2516. Prior to becoming a Special Agent with the ATF, I was employed by the United States Secret Service (USSS) for over eleven (11) years. During my tenure at the USSS, I served as an Officer in the Uniformed Division and as a Technician of the Counter Sniper Team. As a Counter Sniper Technician my responsibilities entailed conducting pretravel advances in an effort to protect the President of the United States from any long-range sniper or other threats.

3. Pursuant to my employment with ATF, I attended the Criminal Investigator Training Course at the Federal Law Enforcement Training Center in Glynco, Georgia where I received fundamental training in the techniques, concepts, and methodologies of conducting criminal

investigations. I attended Special Agent Basic Training at the ATF National Academy located in Glynco, Georgia, where I received extensive training on investigating various violations of federal law. While at the ATF Academy, I received specific training in firearm technology and firearm regulations. As an ATF Special Agent, I have been involved in numerous investigations into the unlawful use and possession of firearms and conspiracies associated with criminal firearm offenses. To successfully conduct these investigations, I have utilized a variety of investigative techniques and resources, including physical and electronic surveillance involving various types of informants and cooperating sources.

4. As an ATF Special Agent, I am authorized to investigate violations of the laws of the United States, collect evidence in cases in which the United States is, or may be a party in interest, and execute warrants issued under the authority of the United States.

5. In the course of my experience, I have and continue to be involved in investigations where DNA analysis provided evidence of crimes and of a particular person's participation in a crime, including the packaging and manufacturing of drugs, the control of or nexus to drug premises, and the possession of firearms, ammunition, and firearms accessories.

6. This affidavit is based upon my personal knowledge and upon information reported to me by other federal, state, and local law enforcement officers during the course of their official duties, all of whom I believe to be truthful and reliable.

7. Because this affidavit is submitted for the limited purpose of securing search warrants, I have not included each and every fact known to me concerning this investigation. I have set forth only facts that I believe are sufficient to establish probable cause.

II. PROBABLE CAUSE

8. On January 28, 2023, at approximately 2:14 am, Milwaukee Police Officers assigned to District Five were on patrol in a marked Milwaukee Police vehicle near the 2700 block of North 27th Street in Milwaukee, WI. Officers observed a dark colored Mazda CX7 pass their marked vehicle traveling in the opposite direction. Officers were aware of a report of a stolen maroon in color Mazda CX7 which was reported stolen during an armed carjacking on January 27, 2023 (one day prior) with Wisconsin registration ALN-2619. Officers conducted a U-turn and proceeded to follow the dark colored Mazda CX7. While following the Mazda from a position directly behind, the Officers were able to confirm the Wisconsin registration tag (ALN-2619) matched the registration tag reported stolen the day prior. Officers continued to follow the Mazda and noted the vehicle was following all posted traffic laws. Officers elected to not immediately conduct a traffic stop, rather, to call for additional units to assist in a high-risk traffic stop. The traffic stop was conducted at 2426 West Lisbon Ave. Milwaukee, WI (a BP gas station). The Officers positioned their police vehicle behind the Mazda and ordered the driver out of the car and back to the Officers where the driver, Ulyses Johnson, was placed in handcuffs. The Officers then ordered the passenger of the vehicle, Lashown Williams, out of the Mazda and back to their police vehicle where he was also placed in handcuffs. After securing the occupants, Officers cleared the Mazda for any other persons that may have been attempting to elude Officers. No other individuals were located in the Mazda. Upon approaching the Mazda, Officers observed a pistol, later identified as a Glock 23 .40 caliber pistol located on the front driver's side floorboard of the vehicle. Officers also saw in plain view, a white chunky substance, suspected to be crack cocaine, located in a clear plastic container between the driver's side front seat and the driver's door. A test of the white chunky substance at the District Five police

station, showed a positive result for cocaine base. In addition, the cocaine base was found to be packaged in 15 individual bags which is consistent with narcotics trafficking. The total weight of the suspected crack cocaine was 2.38 grams. A records check of Johnson showed him to be a felon convicted in the State of Wisconsin for Possession of Cocaine with Intent to Deliver in 2004 (court case 2003CF004113), Possession of a Firearm by Felon in 2005 (court case 2005CF003044), Failure to Support Child-Felony in 2012 (court case 2012CF005372), Bail Jumping-Felony in 2013 (court case 2013CF001948), and Felon in possession of a Firearm in 2015 (court case 14-CR-128) thus prohibiting Johnson from possessing firearms under 18 USC 922(g).

9. The firearm located in Johnson's vehicle was forensically swabbed for DNA, and those DNA swabs remain in the custody of the Milwaukee Police Department under inventory # 23003632 items one, two, and three.

10. Based on my training and experience, I know that a sample of saliva containing epithelial cells may be found in and on a person. Swabbing the inside of a subject's mouth or cheek with a sterile cotton swab and preserving the saliva and cells obtained as a result is a reliable method for collecting a DNA sample. This process is called taking a "buccal swab" or "buccal smear." A case agent trained in how to collect a DNA sample and prevent contamination of the resulting evidence will conduct these searches using sterile swabbing kits for use in collection and preservation.

11. The ATF will request the assistance of the Wisconsin Department of Justice's State Crime Laboratory (or another laboratory designated by the ATF) in processing, analyzing, and scientifically testing the saliva samples to obtain a known DNA profile or profiles and to compare

those known DNA profiles with the DNA profiles obtained from the evidence recovered during this investigation.

12. I have reason to believe that saliva samples containing epithelial cells taken from Johnson, together with test results comparing the DNA profiles extracted from such samples with any and all human DNA profiles extracted from the aforementioned firearm recovered on January 28, 2023, may provide important evidence of a crime.

III. CONCLUSION

13. Based on the information above, I submit that there is probable cause to believe that by taking oral swabs of the mouths of Johnson, there may now be found DNA that is evidence of the knowing possession of a firearm after previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2). Therefore, I request that this Court issue a search warrant to obtain samples of Johnson's DNA from saliva containing epithelial cells for subsequent testing and examination.

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